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8/12/98

MEMORANDUM

TO: Celotex Case File
FROM: Eva Hahn *EH*
DATE: August 12, 1998
RE: **Issuance of UAO at the Celotex Site**

EPA Region 5 Records Ctr.



241368

A CERCLA UAO is being sent to the TLC Trust because it is the most recent past owner of the site in question. On June 5, 1998, Will County recorded a deed to the title of the property due to TLC Trust's delinquent status in its tax payments since 1988. Because the County acquired this property involuntarily as a Government entity, it is not liable under CERCLA and cannot be named as a PRP.

Prior to TLC Trust becoming the owner of the site in question, the property owner was the Celotex Corporation. Celotex declared Bankruptcy on October 12, 1990 and on May 30, 1997 a Confirmation Order in the Bankruptcy matter was entered by the U.S. District Court for the Middle District of Florida, Tampa Division. Under the Confirmation Order, Celotex Corp. was discharged from CERCLA liability for any property it had sold prior to 1990. The property in question was sold by Celotex Corp. In 1988, U.S. EPA is precluded from issuing either an AOC or a UAO to the Celotex Corporation for the clean-up of this site. Therefore, the only PRP for this site is the TLC Trust.